

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH LUCCHESI, : CIVIL ACTION
Plaintiff, :
v. :
: :
DAY & ZIMMERMAN GROUP, :
Defendant. : No. 10-4164

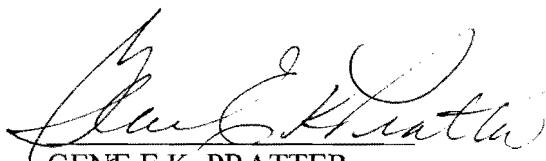
FILED
APR 21 2011
MICHAEL E. KUNZ, Clerk
By _____
Dep. Clerk

O R D E R

AND NOW, this 20th day of April, 2011, upon consideration of Defendant Day & Zimmerman's Motion to Dismiss the Complaint (Docket No. 4), it is hereby **ORDERED** that the Motion is **GRANTED in PART** and **DENIED in PART**. Specifically, the Motion is granted with regard to Count II of the Complaint, and denied with regard to Counts I, III and IV.

It is further **ORDERED**, upon consideration of Plaintiff Joseph Lucchesi's Motion to Amend the Complaint (Docket No. 11), that the Motion to Amend is **GRANTED**, and Mr. Lucchesi shall be permitted to amend his Complaint to include factual allegations relating to his filing of an intake questionnaire with the Equal Employment Opportunity Commission, asserting a claim of retaliation, on or around March 24, 2010.

BY THE COURT:


GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE